

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 9067

October 27, 2021

SUMMARY OF BILL: Prohibits an employer from discharging or terminating an employee solely for refusing to receive a vaccination against COVID-19. Creates a cause of action against an employer for violation, and if the employee prevails, establishes the employee is entitled to damages permitted by law and recovery of reasonable attorney fees and costs.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The U.S. Supreme Court issued a ruling in February 20, 1905, *Jacobson v. Massachusetts*, upholding the right of states to compel vaccination.
- Each state decides which vaccines are required based on recommendations from the Centers for Disease Control and Prevention Advisory Committee on Immunization Practices (ACIP).
- Immunization or vaccination for COVID-19 is currently not required by any state or local governmental entity in Tennessee. Prohibiting any such future requirement will not result in a significant fiscal impact to the state or local government.
- The proposed legislation will not significantly impact any programs or policies of state or local governments or result in a significant increase in caseloads; therefore, any fiscal impact is estimated to be not significant.
- If the proposed legislation prohibits a state or local entity from following any future federal vaccination mandate, federal funding could be jeopardized.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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